

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

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**UNITED STATES OF AMERICA,**

Plaintiff,

v.

**Case No. 06-CR-117**

**BILL A. MOORE,**

Defendant.

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**ORDER DENYING MOTION FOR RECONSIDERATION  
OF DETENTION ORDER**

On May 16, 2006, the grand jury returned a two count indictment charging the defendant Bill Moore with possession of crack cocaine with intent to distribute and with felon in possession of a firearm. On June 22, 2006, the defendant appeared for his arraignment and plea. Since the defendant was in state custody, he was returned to state authorities and a federal detainer was lodged. Upon the defendant's release from state custody, he appeared before this court for a detention hearing. A hearing was conducted and an order of detention was entered on October 19, 2006. The court found that the defendant had failed to rebut the presumptions that arise as a result of the charges against him.

On January 19, 2007, the defendant filed a motion for reconsideration, requesting that the court set bond in the amount of \$5,000.00 and impose certain non-monetary conditions

of release. The government has responded to the defendant's motion, and it opposes any reconsideration of the order of detention.

A status conference before Judge Adelman is scheduled for February 27, 2007, at which time, the court will schedule a date for trial. Judge Adelman, on January 26, 2007, entered an order denying the defendant's motion to suppress evidence. As noted in Judge Adelman's decision, when the officers initially approached the defendant and commenced their pat-down, he attempted to flee; when apprehended, he started to fight with them. One of the officers was injured in the altercation, which resulted in the state conviction of resisting arrest and battery to a law enforcement officer. Upon his arrest, cocaine and marijuana was found in the defendant's jacket and a subsequent search of his van disclosed two firearms.

In addition to the apparent strength of the government's case, the defendant has a significant criminal history, which includes two prior felony convictions. The bond study shows three failures to appear and eight citations for operating a motor vehicle after revocation or suspension. The significance of the latter is that it indicates an inability on the defendant's part to comply with rules and regulations. In that regard, the bond study also indicates that his probation has been revoked.

Even though the \$5,000.00 may be a substantial sum to the defendant's family who raised the money, this court does not believe that it rebuts the presumptions of non-appearance or danger to the community. If released, there is a substantial likelihood that the

defendant will be unable to comply with the terms and conditions of his release. For the foregoing reasons, the defendant's motion for reconsideration is **denied**.

SO ORDERED.

Dated at Milwaukee, Wisconsin, this 29th day of January, 2007.

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s/AARON E. GOODSTEIN  
U.S. MAGISTRATE JUDGE